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OFFICE OF THE DIRECTOR
TC 3600

In re application of :
Olaf Weissmueller et al. :
Application No. 09/982,563 :
Filed: October 18, 2001 :
For: CONVERTIBLE WITH A ROOF, :
WHICH CAN BE STOWED IN THE :
REAR REGION OF THE VEHICLE :
BELOW A LID :

DECISION ON PETITION
TO WITHDRAW THE
HOLDING OF ABANDONMENT

This is in response to applicants' petition to withdraw the holding of abandonment filed in the United States Patent and Trademark Office (USPTO) on March 24, 2003.

The petition is **DISMISSED as moot**.

A review of the application file reveals that an Office action was mailed August 27, 2002 wherein a three-month shortened statutory period for reply was set. Since no response had been matched with the file and the six-month statutory period for response had expired, the application was held to be abandoned and a notice to that effect was mailed March 6, 2003.

A further review reveals that the original amendment of March 4, 2003 has since been matched with the file. That original amendment is timely. Since a timely response to the Office action of August 27, 2002 has been filed, the abandonment will be withdrawn. Since the original of the amendment in question is now in the file, there is no need to treat the petition on the merits and it is therefore dismissed as moot.

This application will be forwarded to the Supervisory Legal Instruments Examiner to withdraw the abandonment, return the application to pending status and enter the original amendment filed March 4, 2003 before forwarding to the examiner for treatment on the merits.

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RAR/tpl: 6/3/03